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Attorney for Defendant
LAWRENCE J. GERRANS

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAWRENCE J. GERRANS

Defendant.

) Case No.: 3:18-CR-00310-EMC

)
) **DEFENDANT'S NOTICE OF MOTION**
) **TO CONTINUE TRIAL DATE.**

)
) Hearing Date: April 17, 2019

) Hearing Time: 2:30 PM

) Courtroom: 5
)
)


TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on Wednesday, April 17, 2019 at 2:30 PM, or soon thereafter, as the matter may be heard in Courtroom 5 at 450 Golden Gate Avenue, 17th Floor, San Francisco, CA 94102, before the HONORABLE EDWARD M. CHEN, United States District Judge, Defendant Lawrence J. Gerrans will move the Court to continue his trial date pursuant to Criminal Local Rule 47-2.

This motion is based on this Notice, Declaration of Counsel of Brian H Getz, Memorandum of Points and Authorities, Proposed Order, and any oral or documentary evidence to be presented at the hearing of this motion.

DATED: April 3, 2018

Respectfully submitted,


BRIAN H GETZ
Attorney for Defendant
LAWRENCE J. GERRANS

Attorney for Defendant
LAWRENCE J. GERRANS

1 warehouse in Oakland. Jury selection began on April 2, 2019 and will occupy much of April 2019.


2 6. The trial judge has advised prospective jurors that the case may go into August 2019.

3 7. Even if the trial ends sooner than August, I would have requested a sixty-day (60)
4 continuance because I need extra time to obtain additional records, interview witnesses, and
5 assemble documents in the instant matter.

6 8. To my knowledge, no other continuance has been requested in this matter.

7 Executed on this date, the 3rd of April 2019 in San Francisco, California.

8 Respectfully submitted,

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11 BRIAN H GETZ
12 Attorney for Defendant
13 LAWRENCE J. GERRANS
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7 Attorney for Defendant
8 LAWRENCE J. GERRANS

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10 **IN THE UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 vs.

16 LAWRENCE J. GERRANS

17 Defendant.

) Case No.: 3:18-CR-00310-EMC

) **MEMORANDUM OF POINTS AND**
) **AUTHORITIES IN SUPPORT OF**
) **DEFENDANT'S MOTION TO CONTINUE**
) **TRIAL DATE**

) Hearing Date: April 17, 2019

) Hearing Time: 2:30 PM

) Courtroom: 5

18 **APPLICABLE LAW**

19 The United States District Court for the Northern District of California Criminal Local Rule
20 47-2 states "all motions in criminal cases shall be filed, served and noticed in writing for hearing
21 not less than 14 days . . ." and shall comply with the form rules outlined in Civil Local Rule 7-2(b)
22 and (c).

23 Civil Local Rule 6-2(a) states that parties requesting an order to change time that would
24 affect the date that would affect the date of an event or deadline already fixed by Court order, in this
25 case the trial date, the parties must set forth with particularity, the reasons for the requested
26 extension of time and its affect on the current schedule for the case.

27 //

1 ARGUMENT

2 Good cause is present to continue the trial date in this matter. Attorney for defendant
3 outlines two bases for this motion in the Declaration of Counsel, BRIAN H GETZ, in Support of
4 Defendant's Motion to Continue Trial Date.


5 The first basis for this motion is that Mr. Getz is currently in trial in the Alameda County
6 case *The People v. Almerna*, case no.: 17-cr-017349A, an emotionally public case which will unveil
7 the death of 36 concertgoers who tragically died in a fire at the Ghostship warehouse in Oakland,
8 California. Jury selection began on April 2, 2019 and is expected to continue through April. The
9 trial judge has advised prospective jurors that the case may go into August 2019. This overlaps the
10 July 26, 2019 date for which the jury selection is to begin in this matter.

11 The second basis for this motion is that even if the trial in *People v. Almerna* ends sooner,
12 Mr. Getz would have requested a 60-day continuance for additional time to obtain additional
13 records, interview witnesses, and assemble the thousands of documents in this matter.

14 No other continuance has been requested in this matter and this request will only affect the
15 start date of jury selection and thus, the jury trial.

16 DATED: April 3, 2019

Respectfully submitted,

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19 BRIAN H GETZ
20 Attorney for Defendant
21 LAWRENCE J. GERRANS
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[PROPOSED] ORDER GRANTING DEFENDANT'S MOTION TO CONTINUE TRIAL DATE
Case No.: 3:18-CR-00310-EMC